

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

**S. M., ON BEHALF OF THEMSELF
AND AS
PARENT/GUARDIAN/NEXT
FRIEND OF S.M., A MINOR
STUDENT WITH DISABILITIES;
AND J. M., ON BEHALF OF
THEMSELF AND AS
PARENT/GUARDIAN/NEXT
FRIEND OF S.M., A MINOR
STUDENT WITH DISABILITIES;
*Plaintiffs,***

6:21-CV-01305-ADA-DTG

v.

**TEXAS EDUCATION AGENCY,
KILLEEN INDEPENDENT
SCHOOL DISTRICT,
Defendants.**

ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Before the Court is the Report and Recommendation of United States Magistrate Judge Derek T. Gilliland. ECF No. 29. The report recommends that this Court dismiss Plaintiffs' claims against Defendant Killeen Independent School District with prejudice according to Plaintiffs' Notice of Rule 41 Dismissal. (ECF No. 27). The report and recommendation was filed on March 3, 2023.

A party may file specific, written objections to the proposed findings and recommendations of the magistrate judge within fourteen days after being served with a copy of the report and recommendation, thereby securing *de novo* review by the district court. 28 U.S.C. § 636(b); Fed. R. Civ. P. 72(b). As of today, neither party has filed objections.

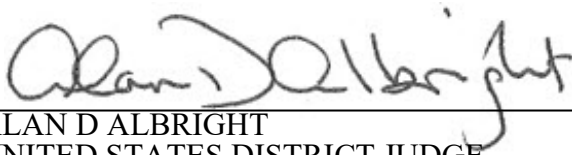
When no objections are timely filed, a district court reviews the magistrate judge’s report and recommendation for clear error. *See* Fed. R. Civ. P. 72 advisory committee’s note (“When

no timely objection is filed, the [district] court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.”). The Court has reviewed the report and recommendation and finds no clear error.

IT IS THEREFORE ORDERED that the Report and Recommendation of United States Magistrate Judge Gilliland (ECF No. 29) is **ADOPTED**.

IT IS FURTHER ORDERED that Plaintiffs’ claims against Defendant Killeen Independent School District are **DISMISSED WITH PREJUDICE**.

SIGNED this 20th day of March, 2023.



ALAN D ALBRIGHT
UNITED STATES DISTRICT JUDGE